

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
JONATHAN M. KIRSHBAUM
3 Assistant Federal Public Defender
4 New York State Bar No. 2857100
411 E. Bonneville, Ste. 250
5 Las Vegas, Nevada 89101
(702) 388-6577
6 (702) 388-5819 (fax)
Jonathan_Kirshbaum@fd.org
7
8 Attorney for Petitioner Marcus Hunt

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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 MARCUS HUNT,
13 Petitioner,
14 v.
15 BRIAN WILLIAMS, et al.,
16 Respondents.

Case No. 2:14-CV-01054-RFB-NJK

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME IN
WHICH TO FILE REPLY TO
ANSWER (ECF NO. 26)**

(First Request)

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19 Petitioner Marcus Hunt, by and through counsel, Assistant Federal Public
20 Defender Jonathan M. Kirshbaum, hereby moves this Court for an enlargement of
21 time of forty-four (44) days from January 11, 2017, to and including February 24,
22 2017, in which to file a reply to the Answer (ECF No. 26). This motion is based upon

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1 the attached points and authorities and all pleadings and papers on file herein.

2 Dated this 6th day of January, 2017.

3 Respectfully submitted,

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5 RENE L. VALLADARES
6 Federal Public Defender

7 /s/Jonathan M. Kirshbaum
8 JONATHAN M. KIRSHBAUM
9 Assistant Federal Public Defender

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11 IT IS SO ORDERED:

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14 RICHARD F. BOULWARE, II
15 United States District Judge

16 DATED this 10th day of January, 2017.
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POINTS AND AUTHORITIES

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2 1. On September 12, 2016, Hunt filed an amended petition. ECF No. 22.
3 On December 12, 2016, Respondents filed their Answer. ECF No. 26. The reply is
4 currently due January 11, 2017.

5 2. Petitioner seeks a first request for an extension of time to file his reply.
6 Petitioner requests an additional forty-four (44) days of time, up to and including
7 February 24, 2017, in which to file the reply. This is counsel's first request for an
8 extension of time for this pleading.

9 3. Counsel's schedule and circumstances beyond his control has precluded
10 him from meeting the current deadline of January 11, 2017. While counsel has begun
11 to work on the reply, an extension of time to file the pleading is necessary due to
12 counsel's schedule and filing obligations. Since the time that the Answer was filed,
13 counsel had to go on multiple prison visits. Counsel had to file several pleading with
14 the Ninth Circuit, including an en banc petition. Counsel also had to draft two
15 significant pleadings in federal district court cases. In addition, counsel was out of
16 the office on vacation for close to two weeks in December. Finally, counsel has an
17 oral argument scheduled in the Ninth Circuit on the same day in which this pleading
18 is due. The oral argument has required a great deal of attention and preparation.

19 4. Therefore, counsel seeks an additional forty-four (44) days, up to and
20 including February 24, 2017, in which to file the reply. Counsel previously requested
21 two extensions of time to file the amended petition.

22 5. On January 5, 2017, Senior Deputy Attorney General Dennis Wilson
23 informed counsel that he did not object to this request.

24 6. This motion is not filed for the purpose of delay, but in the interests of
25 justice, as well as in the interest of Hunt. Counsel for Petitioner respectfully requests
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1 that this Court grant this motion and order Petitioner to file the reply no later than
2 February 24, 2017.

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4 Dated this 6th day of January, 2017.

5 Respectfully submitted,

6 RENE L. VALLADARES
7 Federal Public Defender

8 /s/Jonathan M. Kirshbaum
9 JONATHAN M. KIRSHBAUM
10 Assistant Federal Public Defender
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CERTIFICATE OF SERVICE

In accordance with the Rules of Civil Procedure, the undersigned hereby certifies that on this 6th day of January 2017, a true and correct copy of the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME IN WHICH TO FILE REPLY TO ANSWER (ECF NO. 26)**, was filed electronically with the United States District Court. Electronic service of the foregoing document shall be made in accordance with the master service list as follows:

Dennis C. Wilson
Senior Deputy Attorney General
555 East Washington Avenue, Suite 3900
Las Vegas, NV 89701
dwilson@ag.nv.gov

/s/ Jineen DeAngelis

An Employee of the
Federal Public Defender,
District of Nevada